

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2003-027535-002 DT

10/20/2004

JUDGE PRO TEM VIRGINIA L. RICHTER

CLERK OF THE COURT
G. Smith
Deputy

FILED: 10/29/2004

STATE OF ARIZONA

MAYAR M DAIZA

v.

JUSTIN MILES ALLEE (002)
DOB: 07/09/1984

HILARY G BERKO

APO-SENTENCINGS-CCC
APPEALS-CCC
DISPOSITION CLERK-CSC
RFR

DISPOSITION HEARING - PROBATION REINSTATED WITH REVOCATION
ARRAIGNMENT/VIOLATION HEARING

State's Attorney:	Chris Corso
Defendant's Attorney:	Hilary Berko
Defendant:	Present

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

The Defendant admits violation of probation for condition #10.

The admission is accepted and entered of record.

The Defendant is advised of the right to disposition hearing within the statutory time limits and the right to a written probation violation report. Defendant and counsel waive these matters.

Disposition proceeds at this time.

The Court finds Defendant has violated the conditions of probation previously imposed.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2003-027535-002 DT

10/20/2004

IT IS ORDERED suspending imposition of sentence and, under the supervision of the Adult Probation Department (APD), continuing the defendant on probation beginning March 4, 2004:

Count 1: Theft, Class 6 Felony: With a revised expiration date of March 4, 2007.

Length of Probation: 3 years

Conditions of probation include the following:

Condition 16 - Restitution, Fines, and Fees:

RESTITUTION: Count 1- \$1,563.32 payable \$25.00 per month, beginning February 1, 2005.

PROBATION SERVICE FEE: Count 1 - \$50.00 per month, beginning February 1, 2005.

REIMBURSEMENT: Count 1 - \$50.00 payable \$5.00 per month, beginning February 1, 2005.

ASSESSMENTS:

Count 1: PROBATION SURCHARGE: \$5.00

Count 1: Time payment fee pursuant to A.R.S. § 12-116 in the amount of \$20.00.

All amounts payable through the Clerk of the Superior Court.

Condition 17 - Not consume or drink any substance containing alcohol.

Condition 18 - Not have any contact with the victim(s) whatsoever, unless approved in writing by the Adult Probation Department.

Condition 19 - Count 1: Complete 40 hours of approved community work service at a minimum rate of 20 hours per month beginning as directed in writing by the Adult Probation Department.

Condition 21 - Count 1: Be incarcerated in the county jail for 2 month(s), beginning October 20, 2004 with credit for 0 days served.

Not to be released until December 19, 2004.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2003-027535-002 DT

10/20/2004

Report to the APD within 72 hours of release from jail. Comply with all program rules.

At the request of the probation department, Defendant may be released from custody for screening for placement in a residential treatment program.

Condition 24 - Participate and cooperate in any counseling or assistance as directed by the APD as noted in the Uniform Conditions of Supervised Probation.

Condition 25 - Abide by the Special Conditions of Probation as noted on the attachment to the Uniform Conditions of Supervised Probation.

Condition 26 - Other: Do not have contact with Lucas Allee or Cindy Allee without the written permission of the Adult Probation Department. Defendant is eligible for early release after Reachout Screening.

IT IS FURTHER ORDERED Defendant be given credit for any monies paid to date.

IT IS ORDERED granting the Motion to Dismiss the allegations of violation of the remaining term(s) as set forth in the Petition to Revoke.

Count(s) 1: IT IS ORDERED remanding Defendant to the custody of the Maricopa County Sheriff.

The written terms and conditions of probation are handed to the Defendant for explanation and signature. The Defendant is advised of the consequences of failure to abide the terms of probation.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2003-027535-002 DT

10/20/2004

Defendant's thumbprint is permanently affixed to this sentencing order in open court.

/s/ JUDGE PRO TEM VIRGINIA L. RICHTER
JUDICIAL OFFICER OF THE SUPERIOR COURT

(thumbprint)